



Order Filed on March 9, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon
KML Law Group, PC
701 Market Street, Suite 5000
Philadelphia, PA 19106
MidFirst Bank

In Re:
Shivey, James J.

Case No: 21-10469 KCF

Hearing Date: 3/9/2021

Judge: Kathryn C. Ferguson

Recommended Local Form:

☐

Followed

☐

Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: March 9, 2021


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Upon the motion of MidFirst Bank, under
Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as
hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume
and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to
pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as 175 Pennsylvania Way, North
Brunswick NJ 08902**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its
rights and remedies under the terms of the subject mortgage and pursue its state court remedies
including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially
pursuing other loss mitigation alternatives, including, but not limited to, a loan modification,
short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's
sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession
of the property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in
this case as defendants in its action(s) irrespective of any conversion to any other chapter of the
Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who
entered an appearance on the motion.

In re:
James J Shivey
Debtor

Case No. 21-10469-KCF
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 10, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 12, 2021:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + James J Shivey, 175 Pennsylvania Way, North Brunswick, NJ 08902-3530 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 12, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 10, 2021 at the address(es) listed below:

| Name | Email Address |
|------------------------|---|
| Denise E. Carlon | on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com |
| John Michael McDonnell | on behalf of Trustee John Michael McDonnell jmcdonnell@mchfirm.com NJ95@ecfbis.com,bcrowley@mchfirm.com |
| John Michael McDonnell | jmcdonnell@mchfirm.com NJ95@ecfbis.com,bcrowley@mchfirm.com |
| U.S. Trustee | USTPRegion03.NE.ECF@usdoj.gov |
| William H Brosha | on behalf of Creditor Society Hill North Condominium Association Inc. collections@theassociationlawyers.com |
| Yakov Rudikh | on behalf of Debtor James J Shivey rudikhlawgroup@gmail.com |

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Date Rcvd: Mar 10, 2021

Form ID: pdf903

Total Noticed: 1

rudikhlawgroup@gmail.com;yrudikh@gmail.com;zk1313@gmail.com;R61945@notify.bestcase.com

TOTAL: 6